

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 2386 - HB 2855**

February 28, 2022

**SUMMARY OF BILL AS AMENDED (014116):** Prohibits a health benefit plan from denying coverage or payment for emergency services, regardless of the final diagnosis of the symptoms.

**FISCAL IMPACT OF BILL AS AMENDED:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 56-7-2355(b)(1), a health benefit plan cannot deny coverage of an emergency medical condition, which is defined as a medical condition that a prudent layperson could reasonably expect the absence of immediate medical attention to potentially result in serious bodily harm.
- The current definition of emergency medical condition relies on the assumptions of risk of serious bodily harm, not definitive bodily harm. Therefore, prior to the proposed legislation, the final diagnosis was not relevant to coverage.
- The proposed legislation will not create a fiscal impact since it is simply codifying current practice for health benefit plan providers.

**IMPACT TO COMMERCE OF BILL AS AMENDED:**

**NOT SIGNIFICANT**

Assumption:

- The provisions of the proposed legislation will not result in any significant impact to jobs or commerce in Tennessee.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/cd